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August 1, 2008

Via ECF

& Via Facsimile 718-613-2518

Chambers of Honorable David G. Trager
United States Courthouse
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Bary v. Delta Air Lines, Inc.
Docket No.: 02 CV 5202 (Trager, J.)(Go, M.J.)
GGF&C File No.: 1/601 BPM/MJC

Dear Judge Trager:

We represent the defendant Delta Air Lines, Inc., (“Delta”) and we are writing with respect to the schedule set for filing of defendant’s Summary Judgment Motion and the Joint Pre-Trial Order.

Delta is requesting an extension of the schedule to allow a further consultation and resolution with the Transportation Security Authority concerning potential “sensitive security information” at issue in this case. Specifically, Delta requires additional time for consultation and resolution with the Transportation Security Authority as to the use of “sensitive security information” in the making of a dispositive motion herein. Delta requires permission of the Transportation Security Authority to incorporate any such sensitive security information materials in a dispositive motion and we anticipate the necessity of another thirty days so that Delta can be advised one way or the other as to incorporation of any sensitive security information materials.

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Chambers of Honorable David G. Trager

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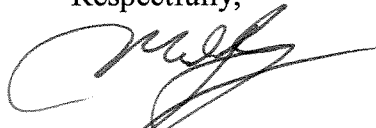
We have called plaintiff's counsel about this issue and plaintiff's counsel indicated that he will consider our position and respond accordingly. Delta submits that this short extension of time will not unduly delay proceedings in this matter. No prior request for an extension of these dates has been made by defendant.

Delta hereby requests that the following dates be granted:

- September 5, 2005 defendant to serve dispositive motion and plaintiff to serve plaintiff's draft Pre-Trial Order (original date August 8, 2008);
- September 26, 2008 plaintiff to serve opposition to dispositive motion, and defendant to serve defendant's draft Pre-Trial Order (original date September 5, 2008); and
- October 10, 2008 defendant to serve a reply to motion, and file all motion papers, and parties to submit Joint Pre-Trial Order (original date September 19, 2008).

Your Honor's attention to this matter is greatly appreciated.

Respectfully,



Michael J. Crowley

MJC/kc

cc: **Via ECF**
Honorable Magistrate Judge Marilyn D. Go
United States Courthouse
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